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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KIRBY SPENCER

Plaintiff,

v.

KOHL'S DEPARTMENT STORES, INC.,

Defendant.

) No.: 14-cv-01646-RFB-CWH
)
)
) **STIPULATION AND**
) **[PROPOSED] ORDER**
) **FOR EXTENSION OF**
) **BRIEFING SCHEDULE ON**
) **DEFENDANT'S MOTION**
) **FOR JUDGMENT ON THE**
) **PLEADINGS OR, IN THE**
) **ALTERNATIVE, FOR A STAY**
)
) **(First Request)**
)
) Hon. Richard F. Boulware, II
)
) Magistrate Judge Carl W. Hoffman

Plaintiff Kirby Spencer ("Plaintiff"), by and through his attorneys Craig K. Perry & Associates and McGuire Law, P.C., and Defendant Kohl's Department Stores, Inc. ("Defendant"), by and through its attorneys Ballard Spahr LLP and Kelley Drye & Warren LLP, hereby stipulate and agree, pursuant to L.R. IA 6-1 and 6-2, and L.R. 7-1, and subject to this Court's approval, to an extension of time to September 24, 2018 for Plaintiff to respond to

1 Defendant's Motion for Judgment on the Pleadings or, in the Alternative, for a Stay (ECF Nos.
2 89, 90) ("Motion for Judgment"), and for an extension of time to October 22, 2018 for
3 Defendant to file its reply in support of its Motion for Judgment.

4 This Stipulation is made in good faith and not for the purpose of delay or for any other
5 improper purpose. Plaintiff's response to Defendant's Motion for Judgment is currently due
6 August 30, 2018 (ECF No. 89). Plaintiff seeks the additional time to properly address the issues
7 raised in Defendant's Motion, as well as due to Plaintiff's counsel's significant other work
8 commitments and travel over the upcoming weeks, including the Labor Day holiday.
9 Defendant seeks the additional time to file its reply to properly address the issues likely to be
10 raised in Plaintiff's Opposition brief. This is the first request for extension of time related to
11 Defendant's Motion for Judgment.

12 WHEREFORE, Plaintiff Kirby Spencer and Defendant Kohl's Department Stores, Inc.
13 hereby stipulate and respectfully request that the Court enter an Order: (i) extending the
14 deadline for Plaintiff to file his response to Defendant's Motion for Judgment to September
15 24, 2018; and (ii) extending the deadline for Defendant to file its Reply in support of the Motion
16 for Judgment to October 22, 2018.

17 Dated: August 24, 2018

Respectfully submitted,
MCGUIRE LAW, P.C.
By: /s/ Evan M. Meyers
Evan M. Meyers (*pro hac vice*)
Attorneys for Plaintiff Kirby Spencer

20 Dated: August 24, 2018

KELLEY DRYE & WARREN LLP
By: /s/ Lauri Mazzuchetti
Lauri Mazzuchetti (*pro hac vice*)
Attorneys for Defendant
Kohl's Department Stores, Inc.

24 Pursuant to Stipulation, **IT IS SO ORDERED.**

25 Dated: August 27, 2018.

26 By: 
27 Hon. Richard F. Boulware, II
U.S. District Court Judge

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/s/ Evan M. Meyers